

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA

V.

CRIMINAL NO. 1:06cr81LG-JMR

TERRY RAY PRESTON

FINAL ORDER OF FORFEITURE

WHEREAS, on July 28, 2005, this Court entered a Preliminary Order of Forfeiture, pursuant to Rule 32.2(b)(2) of the Federal Rules of Criminal Procedure, ordering defendant TERRY RAY PRESTON to forfeit the following property:

PERSONAL PROPERTY

2004 Chevrolet Avalanche
VIN: 3GNEC12T44G203783 - (06-DEA-471652)

WHEREAS the Court finds that the defendant TERRY RAY PRESTON had an interest in the property that is subject to forfeiture pursuant to Title 21, United States Code, Section 853;

WHEREAS the United States caused to be published in *The Sun Herald*, a newspaper of general circulation in Harrison County, Mississippi, providing notice of this forfeiture and of the intent of the United States to dispose of the property in accordance with the law and as specified in the Preliminary Order of Forfeiture, and further notifying all third parties of their right to petition the Court within thirty days for a hearing to adjudicate the validity of their alleged legal interest in the property;

WHEREAS the United States provided direct written notice of the forfeiture by certified mail to potential petitioners known to have a possible interest in the property (Ct. R. Doc. #23);

WHEREAS, there have been no claims, petitions, or other pleadings filed by any other person or entity, and the thirty-day period for filing claims has now long since expired;

WHEREAS the Court finds that the Government has taken all reasonable and practical measures to insure that direct written notice was given to and received by all persons or entities known or those who, through the exercise of reasonable diligence, should have been known to have an alleged interest in the property and to insure that all persons or entities having or claiming an interest who have not received direct written notice received notice by publication;

WHEREAS the direct written notice and the publication were in accordance with law and were proper and all such persons or entities were afforded due process of law in all respects;

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that personal property is hereby forfeited to the United States of America pursuant to Title 21, United States Code, Section 853;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all right, title and interest to the property described above is hereby condemned, forfeited and vested in the United States of America, and shall be disposed of according to law;

IT IS FURTHER ORDERED the above-described personal property is hereby remanded to the custody of the United States Marshal Service for disposition in accordance with law and regulations;

IT IS FURTHER ORDERED, that this judgment fully and finally concludes all issues and proceedings, judicial or administrative, in the asset forfeiture segment of this case and it is hereby closed for all purposes;

IT IS FURTHER ORDERED that the United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Order; and

IT IS FURTHER ORDERED that the Clerk of the Court shall forward four certified copies of this Order to the **United States Attorney's Office, 1575 20th Avenue, Gulfport, Mississippi 39501**. Attention: Assistant U.S. Attorney Glenda R. Haynes.

SO ORDERED AND ADJUDGED this the 22nd day of May 2007.

s/ *Louis Guirola Jr.*

Louis Guirola, Jr.
United States District Judge